

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**DELANEY'S DEVELOPMENT, INC.,)
et al.,)
Plaintiffs,)
v.)
WESTCHESTER SURPLUS LINES)
INSURANCE COMPANY, INC., *et al.*,)
Defendants.)**

CIVIL ACTION NO.: 11-00277-KD-B

ORDER

This matter is before the Court on the parties' joint "Stipulation of [Voluntary Dismissal]" with prejudice of the Plaintiffs' case against Defendant Westchester Surplus Lines Insurance Company and Defendant Landmark American Insurance Company. (Doc. 29). Because the parties jointly filed a Stipulation of Voluntary Dismissal, which is signed by all parties, the Court construes the dismissal as one filed pursuant to Rule 41(a)(1)(A)(ii). Accordingly, it is **ORDERED** that this action is **DISMISSED with prejudice** as to Defendant Westchester Surplus Lines Insurance Company and Defendant Landmark American Insurance Company.

Nothing in this Order shall be construed as dismissing the Plaintiffs' claims against the remaining Defendant Essex Insurance Company.

DONE and **ORDERED** this the 18th day of November 2011.

/s/ Kristi K. DuBose
KRISTI K. DUBOSE
UNITED STATES DISTRICT JUDGE